

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector & District Magistrate, Chittoor District, Chittoor in respect of **Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam**, aged 26 years, Pulluru Village, Irala Mandal, Now at D.No.12-62, Rajivgandhi Nagar, Auto Nagar, Renigunta Road, Tirupathi, Chittoor District, A.P. - **Confirmed – Orders – Issued.**

GENERAL ADMINISTRATION (LAW & ORDER) DEPARTMENT

G.O.Rt.No. 539

Dated 23.02.2015

Read the following:-

1. From the Collector & District Magistrate, Chittoor District, Chittoor, Proc. Roc No.C2/6797/2014, Dt: 20.12.2014.
2. G.O. Rt.No.4148, G.A.(L&O) Dept., Dt.26.12.2014.
3. Govt. Letter No.127/L&O/A3/2014-2, dt.03.01.2015.
4. Representation of Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam, Tirupathi, Chittoor District, A.P, dt. 17.01.2015 received through Superintendent, Central Prison, Rajahmundry, E.G. Dist.
5. Govt. Fax Memo No.127/L&O/A3/2014-3, dt.27.01.2015.
6. Representation of Smt Shobana, W/o Sri Mukkali Narayana, Tirupathi, Chittoor District, A.P, dt.24.01.2015.
7. Govt. Fax Memo No.127/L&O/A3/2014-4, dt.09.02.2015.
8. From the Collector & District Magistrate, Chittoor District, Chittoor, Proc. Roc No.C2/6797/2014, Dt: 03.02.2015.
9. From the Advisory Board Report Dated: 28.01.2015.
10. G.O. Rt.No.471, G.A.(L&O) Dept., Dt.16.02.2015.

ORDER:

WHEREAS, in the reference first read above. the Collector & District Magistrate, Chittoor District, Chittoor has made an order of detention, under Section 3 (1) & (2) r/w. 2(a) & (g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against **Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam, aged 26 years, Pulluru Village, Irala Mandal, Now at D.No.12-62, Rajivgandhi Nagar, Auto Nagar, Renigunta Road, Tirupathi, Chittoor District, A.P.** for illicit cutting, storing and transportation of Red sanders trees from the forest areas and smuggling to various destinations, with a view to prevent him from further indulging in a manner prejudicial to the maintenance of public order;

2. AND WHEREAS, the Government have accorded approval of the said detention order under Sub-Section (3) of Section 3 of the Act, vide Government Orders second read above;

3. AND WHEREAS, in the reference 4th & 6th read above, the detenu, **Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam and his wife, Smt Shobana** have made the representations to the Government with a similar request, as there are no merits in the order of detention passed against the detenu on 20.12.2014 by the Collector & District Magistrate, Chittoor and the same is liable to be set aside. The Collector & District Magistrate, Chittoor District, Chittoor was requested to furnish his remarks in the matter in the reference 5th & 7th read above. In the reference 8th read above, the Collector & District Magistrate, Chittoor District, Chittoor has submitted, the contention of detenu, **Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam**, aged 26 years, Pulluru Village, Irala Mandal, Now at D.No.12-62, Rajivgandhi Nagar, Auto Nagar, Renigunta Road, Tirupathi, Chittoor District, A.P, are not true, irrelevant and not tenable;

4. AND WHEREAS, in the reference 10th read above, the requests of Detenu, **Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam and his wife, Smt Shobana** was examined and rejected;

(PTO)

5. AND WHEREAS, Under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place before the Advisory Board on Preventive Detentions, constituted under section 9 of the said Act, comprising of Justice Sri T.L.N. Reddy (Retired), Chairman and two other Members and the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. The above said case was placed before the Advisory Board for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 3rd read above. The case was reviewed by the Advisory Board on 28.01.2015 and after having heard the detenu who has been produced before them, and perused and considered the representation dt.17.01.2015 of the detenu and the Investigating Officers, the Board has tendered the opinion, "there is sufficient cause for the detention of the detenu, **Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam**, aged 26 years, Pulluru Village, Irala Mandal, Now at D.No.12-62, Rajivgandhi Nagar, Auto Nagar, Renigunta Road, Tirupathi, Chittoor District, A.P." ;

6. AND WHEREAS, the Government on careful examination of the entire record, observed that the detenu, **Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam, aged 26 years, Pulluru Village, Irala Mandal, Now at D.No.12-62, Rajivgandhi Nagar, Auto Nagar, Renigunta Road, Tirupathi, Chittoor District, A.P."** was involved in as many as in 6 (Six) cases, The above cases were registered against him, under the provisions of Sec.20(1) (ii) (iii) (iv) & (X) of A.P.Forest Act, and also under Section 29 of Wild Life Protection Act, 1972 and 55(2) of Biological Diversity Act-2002 and Sec 307, 353,378 & 379 IPC. The details shows that he is a habitual offender. He is committed a series of forest offences by entering Government Reserve Forests without proper authorisation, serving standing red sanders trees heart wood to secret destinations in Bangalore/ Chennai and other un-known places. He has not stopped the same type of offences, even after cases and charge sheets were filed against him. It is also evident from the case records that he is engaging huge number of persons in the clandestine business and they were arrested along with the red sander stock at the time cutting of tress and during transportation. The said activities are dangerous to forest wealth and prejudicial to maintenance of public order apart from disturbing the peace, tranquillity, social harmony / order in the society and he became a source of potential danger to the public. The said offences are punishable under Forest Act, 1967 and the rules made there under, as well as Chapter XVI or XVII or XXII of IPC. As such the activities of the individual falls under and within the meaning of 'Goonda' as defined under sec. 2(g) of Act 1 of 1986. All the incidents mentioned in the grounds of detention clearly substantiate as to how the acts of the detenu are prejudicial to the maintenance of public order. In catena of decisions, the Hon'ble Courts held that any acts of attempt or illegal cutting of the red sander trees and smuggling the timber, would certainly have its impact on the public order. The detaining authority having taken into account and consideration of indulgence of the detenu in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb his illegal activities, has passed the detention order against the detenu by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order and dangerous to forest wealth. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the Detenu. As such, the detenu deserves the maximum period of detention, as provided under sec.13 of the Act;

7. NOW, THEREFORE, after due consideration of the report of the Advisory Board and the material available on record, Government, in exercise of the powers conferred under Sub-Section (1) of Section 12 read with Section 13 of the said Act, hereby confirm the Order of Detention made by the Collector & District Magistrate, Chittoor District, Chittoor in the reference 1st read above, as approved in the G.O. 2nd read above and direct that the detention of **Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam, aged 26 years, Pulluru Village, Irala Mandal, Now at D.No.12-62, Rajivgandhi Nagar, Auto Nagar, Renigunta Road, Tirupathi, Chittoor District, A.P.**, be continued for a period of 12 (Twelve) months from the date of his detention, i.e. 22.12.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R. KRISHNA RAO
CHIEF SECRETARY TO GOVERNMENT

To

Sri Mukkali Narayana @ Narayana@ Murthi, S/o Late Siva Lingam, aged 26 years, Pulluru Village, Irala Mandal, Now at D.No.12-62, Rajivgandhi Nagar, Auto Nagar, Renigunta Road, Tirupathi, Chittoor District, A.P. through the Superintendent of Jails, Central Prison, Rajahmundry, East Godavari District.

(Contd..)

The Superintendent of Jails, Central Prison, Rajahmundry, East Godavari District (with instructions to serve the order on the detenu immediately under proper acknowledgement and arrange to read over and explain the contents therein to the detenu in the language known to him and report compliance to Government)

The Collector & District Magistrate, Chittoor District, Chittoor.

The Superintendent of Police, Chittoor District, Chittoor.

The Forest Range Officer, Tirupathi, Chittoor District.

Copy to:

The Director General of Police, A.P., Hyderabad.

The Director General of Prisons and Correctional Services,
A.P., Hyderabad.

The Addl. Director General of Police (Intelligence), A.P., Hyderabad.

The Special Government Pleader, Attached to LAG, A.P., Hyderabad.
SC/SF.

//FORWARDED::BY ORDER//

SECTION OFFICER (SC)